



Signed and Filed: August 15, 2018

A handwritten signature in black ink, appearing to read "Hannah L. Blumenstiel".

HANNAH L. BLUMENSTIEL  
U.S. Bankruptcy Judge  
UNITED STATES BANKRUPTCY COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re: ) Case No. 16-10975 HLB  
CARL ALEXANDER WESCOTT, ) Chapter 7  
Debtor. )

**ORDER DENYING MOTION TO DISMISS AS MOOT**

On July 3, 2018, Debtor Carl Wescott filed a motion to reopen the above-captioned Chapter 7 case to pursue an action against his former wife, Ms. Monette Stephens, and her attorney Mr. Terry Szuckso of Lvovich & Szucsso, P.C. (collectively, the "Szuckso Respondents") for violation of the discharge injunction. [Dkt. 55.] The court granted the motion to reopen (Dkt. 57), and on July 9, 2018, Mr. Wescott filed a request for an order to show cause re: Ms. Monette's and the Szuckso Respondent's violation of the discharge injunction (the "Request for OSC"; Dkt. 60). The court denied the Request for OSC on August 13, 2018. [Dkt. 61.] The same day the Szuckso Respondents filed a motion to dismiss the Request for OSC (the "Motion to Dismiss"; Dkt. 62).

1        In light of the court's denial of the Request for OSC, the  
2 court **DENIES** the Motion to Dismiss as moot. To the extent that  
3 the Motion to Dismiss purports to set a hearing on September  
4 20, 2018, that hearing is **VACATED**.

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**Court Service List**

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